

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
	)	
<b>KAHOOT! AS,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 25-11783-BEM
	)	
	)	
<b>CPDlive Pty Ltd,</b>	)	
	)	
	)	
Defendant.	)	
_____	)	

**NOTICE OF SCHEDULING CONFERENCE**

**MURPHY, D.J.**

The Court will hold an Initial Scheduling Conference in accordance with Fed. R. Civ. P. 16(b) and Local Rule 16.1 in Courtroom 12 on the 5<sup>th</sup> Floor of the Joseph Moakley United States Courthouse in Boston, Massachusetts on

**Tuesday, November 4, 2025 at 10:40 a.m.**

Counsel for the Plaintiff(s) shall be responsible for ensuring that all parties and/or their attorneys, who have not filed an answer or appearance with the Court, are notified of the scheduling conference date. **The parties should be prepared to address any outstanding issues or motions at the scheduling conference.**

Counsel and the parties shall comply with the terms of Fed. R. Civ. P. 16 and Local Rule 16.1, and Local Rule 16.6 if this is a patent case, except as stated below:

1. **Agenda Not Required**: Counsel may omit the agenda required by Local Rule 16.1(b)(1) unless:
  - a. Counsel believe that there are matters not otherwise addressed under Local Rule 16.1 that the Court should address at the scheduling conference;
  - b. This is a patent case; or
  - c. Counsel are specifically directed to prepare such an agenda by the Court.
2. **Settlement Proposals**: Each Defendant shall present to the Plaintiff(s) a written response to the Plaintiff(s)' settlement proposal(s) no later than seven days prior to the scheduling conference.

3. **Joint Statement**: The parties shall comply with Local Rule 16.1(d), but their joint statement shall also include a concise summary of the positions of the Plaintiff(s) and Defendant(s) regarding both liability and relief sought.
4. **Reassignment to a Magistrate Judge**: The parties shall indicate whether all parties consent to reassignment of the case to a magistrate for all purposes. If all parties consent, the parties should also jointly file a completed “Consent/Refusal of Magistrate Judge Jurisdiction” form available at <https://www.mad.uscourts.gov/resources/pdf/forms/ConsentOrRefusal.pdf>.
5. **Scheduling Order**: In most cases, the Court will issue a scheduling order at the conference in the form attached hereto. The Court may depart from the form in cases of relative complexity or simplicity or otherwise where justice may so require. Parties are invited to propose, in accordance with Local Rule 16.1(d), a modified or simplified version of this order based on the particular needs of the case. The parties should attempt to agree on the relevant dates and terms for discovery and motion practice. In a case of ordinary complexity, the parties should propose a schedule that calls for the completion of fact discovery, expert discovery, and pretrial motion practice within one calendar year from the date of the scheduling conference. The dates of the status conference and pretrial conference will be set by the Court.
6. **Discovery Event Limitations**: Counsel representing parties in relatively complex matters who expect to require relief from the limitations on discovery events set forth in Local Rule 26.1(c) should be prepared to address that issue at the scheduling conference.
7. **Multiple Defendants and Motions to Dismiss**: In cases with multiple defendants, where at least one defendant has answered and another has filed a motion to dismiss some or all claims, the Court may schedule a Rule 16 conference to ensure the non-moving parties commence discovery while a motion to dismiss is pending. The non-moving Defendant(s) and Plaintiff(s) shall consult and prepare a proposed pretrial schedule, per the attached sample scheduling order.
8. **In-Person or Remote Hearings**: All Court conferences and hearings will be held in person in Courtroom 12, unless all parties request a remote hearing to be conducted over Zoom for scheduling and status conferences. Such requests must be made at least two (2) business days prior to the scheduled conference or hearing.

If one party does not cooperate with the other party or parties in preparing the joint statement as required by the Local Rules and this Order, the other party or parties shall file a separate statement containing the information required by this Order, the identity of the party not cooperating in the preparation, and the efforts undertaken to obtain that cooperation.

Dated: October 3, 2025

By: **Barbara I. Beatty**  
Courtroom Deputy Clerk